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***Written Testimony for the Comm. on Veterans' Affairs,
Conn. Gen. Assembly, on SB918***

Senator Cabrera, Representative Boyd, Senator Maroney, Representative Napoli, and distinguished members of the Committee on Veterans' Affairs, my name is Sarah Ryan. I am a practicing attorney serving disabled veterans and a professor of practice at Wesleyan University. At Wesleyan, I teach a seminar in legal advocacy for disabled veterans. The views expressed in this written testimony and any oral testimony I provide are my personal opinions and do not reflect the viewpoints of Wesleyan University.

I submit this written testimony in support of Proposed Senate Bill 918, which will expand the definition of veteran in Connecticut to include those veterans whom the Department of Veterans Affairs ("VA") has recognized as "honorable for VA purposes."

Many veterans serve in the U.S. military only to be separated with a less-than-honorable discharge status because of behavior that resulted from unaddressed trauma, mental illness, or the effects of discrimination. This comes as news to many of my neighbors, friends, and students. Few non-service members realize that there are more than five discharge categories. Further, many are surprised to learn that a combat veteran can be denied mental health services and other public benefits because of in-service self-medication or other forms of predictable coping¹ with their service-related traumas.

¹ Possemato, K., McKenzie, S., McDevitt-Murphy, M. E., Williams, J. L., & Ouimette, P. (2014). The relationship between postdeployment factors and PTSD severity in recent combat veterans. *Military Psychology*, 26(1), 15-22. ("In times of depleted resources and increased demands, individuals may use maladaptive coping strategies, such as alcohol use, to cope with stress and PTSD symptoms . . . Hazardous drinking and alcohol-related problems are known to be positively associated with combat exposure, PTSD and postdeployment stressors.")

Part of the reason that this issue remains underrecognized is that fewer than 25% of service members receive less-than-honorable discharges.² This is not a large population within Connecticut. But for this small group of people, access to services can be a matter of life and death.

I have represented clients with untreated combat traumas, unaddressed military sexual trauma, and severe mental illness that arose during and because of their service. Each of these clients should have received in-service mental health treatment from the military. Each did not receive the services they required. Each was discharged with a less-than-honorable characterization. The result for these clients and many of our state's most vulnerable veterans—who need and deserve care and support—is that they are shut out of the benefit systems designed to support them.

This bill recognizes that sometimes a veteran may have served honorably, faithfully, and meritoriously but nonetheless was characterized as other than honorable upon discharge. Further, this bill leverages our federal Veterans Affairs' robust system for deciding when other-than-honorably discharged veterans should be considered honorable for benefits purposes and allowed to access veteran's benefits. The state of Connecticut does not have a similar system. As a result, the state often denies benefits to veterans even if they are deemed honorable for VA purposes in the federal system. SB 918 would remedy that.

Importantly, this new law will not upgrade veterans' statuses automatically. This body is not being asked to weigh the facts of a case of military sexual trauma or combat PTSD. Rather,

² For detailed analysis of discharge data, see Siedor, M. [Legal Director of Swords to Plowshares.] (2020, July 8). Testimony Summary of Maureen Siedor :Subcommittee on Disability Assistance & Memorial Affairs House. <https://www.congress.gov/116/meeting/house/110852/witnesses/HHRG-116-VR09-Bio-SiedorM-20200708.pdf>

SB 918 would allow the state to adopt a Veterans Affairs determination of “honorable for VA purposes” as Connecticut’s characterization of a veteran’s service.

I have worked on VA determination cases and I can attest that the VA process is rigorous. To receive a determination of “honorable for VA purpose,” the service member must prove, through medical, personnel, and other evidence, that the service was faithful, the asserted trauma or unfairness was real, and that any misconduct was limited, caused by service-connected traumas, etc.³ In other words, the VA process is robust and the agency grants the “honorable for VA purposes” on the basis of proof and legal standards. I believe that the VA’s existing, extensive adjudication process is sufficient. As a result, SB 918 is fair to veterans with Honorable discharges and to the public. By utilizing the robust mechanism of the VA, this law is simple, efficient to enact, and less burdensome on our state benefit system.

With this proposed law, Connecticut would grant access to state benefits for those veterans who have proved they are honorable under federal law. By passing SB 918, Connecticut would make its state veterans benefit system more just and inclusive. This modest expansion would reflect an ethic of fundamental fairness: if a veteran with an OTH discharge has succeeded in proving to the VA that their service was honorable despite their discharge status, then Connecticut would recognize that status as well. This change would be simple and efficient to enact. It would require no adjudication by the state benefit system, and would merely recognize the merit of the VA’s existing, extensive adjudication process.

³ For more on the process and on statutory and regulatory bars to a VA designation of honorable, see Moulta-Ali, U. & Panangala, S.V. (2015, Mar. 6). Veterans’ benefits: The impact of military discharges on basic eligibility. <https://fas.org/sgp/crs/misc/R43928.pdf>Congressional Research Service.

For all these reasons, I support SB 918 and I urge this legislature to pass this bill into law.

By expanding our state's definition of who counts as a "veteran" to include those veterans recognized as honorable by the VA, we can create a more just and inclusive state benefit system.